#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant: Snyder et al.

App. No.: 10/749,675

Filed:

Title:

December 30, 2003

HAND HELD ORAL IRRIGATOR

Con. No.: 9766

Art Unit: 3732

Examiner: Lewis, Ralph A.

#### SUBMISSION OF FORMAL DRAWINGS

MAIL STOP ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Enclosed herewith please find eighteen (18) sheets of formal drawings which are to be filed in the above-identified case pursuant to the Notice of Allowability mailed July 3, 2006. A copy of the Notice is enclosed for ready review.

If there are any questions, please contact the undersigned attorney.

Dated: 29 JEPTENGER, 2010

Respectfully submitted,

S. Craig Hemenway, Registration No. 44,759

Attorney for Applicant

USPTØ Customer No. 20686

DORSEX & WHITNEY LLP

Republic Plaza Building, Suite 4700

370 Seventeenth Street

Denver, Colorado 80202-5647

Phone: (303) 629-3400

Fax: (303) 629-3450

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspb.gov

# NOTICE OF ALLOWANCE AND FEE(S) DUE

20686

7590

07/03/2006

DORSEY & WHITNEY, LLP
INTELLECTUAL PROPERTY DEPARTMENT
370 SEVENTEENTH STREET
SUITE 4700
DENVER, CO 80202-5647

EXA	MINER
LEWIS	, RALPH A
ART UNIT	PAPER NUMBER
3732	

DATE MAILED: 07/03/2006

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,675	12/30/2003	Clifford J. Snyder	1985US2	9766

TITLE OF INVENTION: HAND HELD ORAL IRRIGATOR

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	10/03/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.
- B. If the status above is to be removed, check box 5b on Part B Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

- A. Pay TOTAL FEE(S) DUE shown above, or
- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.
- II. PART B FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.
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IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

#### TAKI B - PEE(5) IKANSMIIIAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where

appropriate. All further cor indicated unless corrected I maintenance fee notificatior	below or directed otherwise	Patent, advance order in Block I, by (a) s	rs and notification specifying a new c	of maintenance fees orrespondence address	will be mailed to the current s; and/or (b) indicating a sep-	correspondence address as arate "FEE ADDRESS" for
	E ADDRESS (Note: Use Block 1 for	any change of address)		Fee(s) Transmittal, Th	mailing can only be used for his certificate cannot be used a la paper, such as an assignment of mailing or transmission.	or any other accompanying
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370 SEVENTEEN	PROPERTY DEPART	MENT		Ce I hereby certify that the States Postal Service addressed to the Mat transmitted to the USE	rtificate of Mailing or Trans his Fee(s) Transmittal is bein with sufficient postage for fir il Stop ISSUE FEE address PTO (571) 273-2885, on the d	mission g deposited with the United st class mail in an envelope above, or being facsimile late indicated below.
SUITE 4700 DENVER, CO 802	02-5647					(Depositor's name)
DEN VEN, CO 002						(Signature)
	·					(Date)
APPLICATION NO.	FILING DATE	FIR	RST NAMED INVEN	TOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,675	12/30/2003		Clifford J. Snyde	т .	1985US2	9766
FITLE OF INVENTION: H	AND HELD ORAL IRRIGA	ATOR				
APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PU	JBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400		\$300	\$1700	10/03/2006
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LEWIS, F	RALPH A	3732		433-089000		
CFR 1.363).  Change of correspond Address form PTO/SB/12  "Fee Address" indicat PTO/SB/47; Rev 03-02 (Number is required.  ASSIGNEE NAME AND PLEASE NOTE: Unless	rion (or "Fee Address" Indicator more recent) attached. Use RESIDENCE DATA TO B an assignce is identified be 37 CFR 3.11. Completion of	Correspondence  ation form of a Customer  E PRINTED ON THI clow, no assignee dat of this form is NOT a	(1) the names of to a gents OR, alter (2) the name of a registered attorney 2 registered patent listed, no name with E PATENT (print of a will appear on t substitute for filing.	single firm (having as a ror agent) and the nam attorneys or agents. If ll be printed.  or type)  he patent. If an assign	a member a 2es of up to no name is 3ee is identified below, the d	ocument has been filed for
Please check the appropriate	assignee category or catego	ries (will not be printe	ed on the patent);	☐ Individual ☐ C	orporation or other private gro	oup entity Government
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The Director of the USPTO NOTE: The Issue Fee and P		e Fee and Publication	n Fee (if any) or to om anyone other the		ly paid issue fee to the applicatistered attorney or agent; or the	
Authorized Signature	·			Date		
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in application. Confidentiali submitting the completed ap his form and/or suggestions Box 1450, Alexandria, Virgi Alexandria, Virginia 22313-	ity is governed by 35 U.S.C. pplication form to the USPT for reducing this burden, shinia 22313-1450. DO NOT 11450.	122 and 37 CFR 1.14 O. Time will vary de ould be sent to the CESEND FEES OR COI	4. This collection in pending upon the hief Information C MPLETED FORM	s estimated to take 12 individual case. Any conficer, U.S. Patent and S TO THIS ADDRES	the public which is to file (and minutes to complete, includin omments on the amount of tir Trademark Office, U.S. Depr S. SEND TO: Commissioner	g gathering, preparing, and ne you require to complete artment of Commerce, P.O. for Patents, P.O. Box 1450,



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,675	12/30/2003	Clifford J. Snyder	1985US2	9766
20686 7	590 07/03/2006		EXAM	INER
DORSEY & WI	HITNEY, LLP		LEWIS, R	ALPH A
	. PROPEŔTY DEPARTI	MENT	ART UNIT	PAPER NUMBER
370 SEVENTEEN SUITE 4700 DENVER, CO 80			3732 DATE MAILED: 07/03/2000	5

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 104 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 104 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)
Notice of Allowahility	10/749,675	SNYDER ET AL.
Notice of Allowability	Examiner	Art Unit
	Ralph A. Lewis	3732
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI	(OR REMAINS) CLOSED in this app or other appropriate communication GHTS. This application is subject to	plication. If not included will be mailed in due course. THIS
1. $\boxtimes$ This communication is responsive to <u>Amendment of March</u>	24, 2006 and attached Examiner's	Amendment.
2. The allowed claim(s) is/are 1-10, 14, 15, 11-13, 22, 19, 20,	25 16-18, 23 and 24 (renumbered 1	-24, respectively).
3. Acknowledgment is made of a claim for foreign priority ur a) All b) Some* c) None of the:		·
1. Certified copies of the priority documents have		
2. Certified copies of the priority documents have	• • • • • • • • • • • • • • • • • • • •	···········
<ol> <li>Copies of the certified copies of the priority doc International Bureau (PCT Rule 17.2(a)).</li> </ol>	cuments have been received in this i	national stage application from the
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		complying with the requirements
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give		
5. X CORRECTED DRAWINGS ( as "replacement sheets") mus	st be submitted.	
(a)  including changes required by the Notice of Draftspers	on's Patent Drawing Review (PTO-	948) attached
1)  hereto or 2)  to Paper No./Mail Date	•	
(b) including changes required by the attached Examiner's Paper No./Mail Date		
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the		
6. DEPOSIT OF and/or INFORMATION about the depo- attached Examiner's comment regarding REQUIREMENT		
Attachment(s)		
1. Notice of References Cited (PTO-892)	<u> </u>	atent Application (PTO-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ☐ Interview Summary Paper No./Mail Dat	(PTO-413), le
3. Information Disclosure Statements (PTO-1449 or PTO/SB/C Paper No./Mail Date 24 March 2006		
4. Examiner's Comment Regarding Requirement for Deposit	8. 🗌 Examiner's Stateme	ent of Reasons for Allowance
of Biological Material	9. 🗌 Other	$D_{\ell} = 0$
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	ı	Raiph A. Lewis Primary/Examiner
		Au3732

Art Unit: 3732

#### **Examiner's Amendment**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with S. Craig Hemenway on June 20, 2006.

1. (Currently Amended) A hand held oral irrigation device for irrigating an oral cavity with a fluid, the device comprising:

a reservoir for storing the fluid;

a body; and

an elongated nozzle; wherein

the reservoir comprises:

a shelf portion defined about a bottom portion of the reservoir; and

a base at a bottom end of the reservoir;

a reservoir inlet conduit positioned along the base of the reservoir so that fluid is drawn from the bottom of the reservoir;

a fluid access valve fluidly coupling with said inlet conduit, the fluid access valve comprising:

a channel defined within the reservoir extending from the shelf to the base, said channel receiving [an] said inlet conduit and fluidly coupled thereto;

a seal positioned about a top end of the channel;

a spring extending upwardly from the base within the reservoir; and

a ball positioned within the channel between said seal and said spring;

[and

a reservoir inlet conduit positioned along the base of the reservoir, the reservoir inlet conduit fluidly coupled with the channel, so that fluid is drawn from the bottom of the reservoir;]

wherein the reservoir defines a first major diameter at a lower end of the oral irrigation device and the body and reservoir combine to define a second major diameter at an upper end of the oral irrigation device, the first major diameter being larger than the second major diameter.

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#### Comment

The present amendment does not add any limitations to the present claim, but merely rearranges the previously claimed subject matter so as to provide antecedent basis for the "said inlet conduit" to which the fluid access valve is fluidly coupled.

### **Drawings**

The drawings are objected to under 37 CFR 1.84 (i) and (p) as being informal. The lines, numbers and letters lack uniformity and are fuzzy lacking sharp definition. No new matter should be entered.

Replacement drawings are required. The objection to the drawings will not be held in abeyance.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication should be directed to **Ralph Lewis** at telephone number (571) 272-4712. Fax (571) 273-8300. The examiner works a compressed work schedule and is unavailable every other Friday. The examiner's supervisor, Kevin Shaver, can be reached at (571) 272-4720.

Ralph A. Lewis Primary Examiner Au3732

R.Lewis June 20, 2006

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PTO/SB/08a (08-03)

DE Petent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Substitute for Form 1449A/PTO

INFORMATION DISCLOSURE

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

APPLICATION NO.:	FILING DATE:
10/749,675	December 30, 2003
APPLICANT:	ART UNIT:
Snyder et al.	3732
EXAMINER NAME:	ATTY. DOCKET NO.:
Lewis, Ralph A.	1985/US/2

#### U.S. PATENT DOCUMENTS

EXAMINER	Cite			Name of Patentee of Cited	Pages, Columns, Lines,
INITIALS*	No.1	NUMBER	DATE	Document	Where Relevant Passages or Relevant Figures Appea
		Number – Kind Code* (ti known)	MM-DD-YYYY		
PL	1.	1,278,225	09/1918	Schamberg	
1	2.	1,498,267	06/1924	Hachman	
	3.	1,681,320	08/1928	Bergl et al.	
	4.	2,984,452	05/1961	Hooper	
	5.	3,144,867	08/1964	Trupp et al.	
	6.	3,225,759	12/1965	Drapen et al.	1/
	7.	3,297,558	01/1967	Hillquist	
	8.	D208,778	10/1967	Koch	
	9.	D209,395	11/1967	Gilbert	
	10.	3,400,999	09/1968	Goldstein	
	11.	3,453,969	07/1969	Mattingly	
	12.	3,465,751	09/1969	Powers	\
	13.	3,487,828	01/1970	Troy	
	14.	3,499,440	03/1970	Gibbs	
	15.	3,502,072	03/1970	Stillman	/
	16.	D218,270	08/1970	Soper	
<u> </u>	17.	3,537,444	11/1970	Garn	/-
	18.	3,583,609	06/1971	Oppenheimer	
	19.	3,608,548	09/1971	Lewis	1/
	20.	3,747,595	07/1973	Grossan	1/
	21.	3,943,628	03/1976	Kronman et al.	
	22.	3,973,558	08/1976	Stouffer et al.	1
	23.	4,201,200	05/1980	Hubner	
+	24.	4,248,589	02/1981	Lewis	
	25.	4,303,064	12/1981	Buffa	
	26.	4,315,741	02/1982	Reichl	
	27.	4,370,131	01/1983	Banko	
	28.	4,787,845	11/1988	Valentine	
	29.	4,941,459	07/1990	Mathur	†
	30.	4,958,751	09/1990	Curtis et al.	<del>                                     </del>
	31.	4,973,250	11/1990	Milman	1
	32.	4,979,504	12/1990	Mills	1/
	33.	5,049,071	09/1991	Davis et al.	1/
	34.	5,098,291	03/1992	Curtis et al.	1
W/	35.	5,127,831	07/1992	Bab	
7	36.	5,197,458	03/1993	Ito et al.	<del> </del>
KL	37.	5,203,697	04/1993	Malmin	

# U.S. PATENT DOCUMENTS

EXAMINER	Cite	PATENT	ISSUE	Name of Patentee of Cited	Pages, Columns, Lines,
INITIALS*	No.1	NUMBER	DATE	Document	Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code* (if known)	MM-DD-YYYY	]	or Relevant Figures Appear
Th	38.	5,208,933	05/1993	Lustig et al.	0
	39.	5,230,624	07/1993	Wolf et al.	
	40.	5,232,687	08/1993	Geimer	
	41.	5,267,586	12/1993	Jankavaara	
	42.	5,269,684	12/1993	Fischer	
	43.	5,281,139	01/1994	Frank et al.	
	44.	5,282,745	02/1994	Wiltrout et al.	
	45.	5,297,962	03/1994	O'Connor et al.	<u> </u>
	46.	5,302,123	04/1994	Bechard	
	47.	D351,892	10/1994	Wolf et al.	
	48.	5,360,338	11/1994	Waggoner	
	49.	5,370,534	12/1994	Wolf et al.	
	50.	5,380,201	01/1995	Kawata	
	51.	5,474,451	12/1995	Dalrymple et al.	
	52.	5,490,779	02/1996	Malmin	
	53.	5,525,058	06/1996	Gallant et al.	
	54.	5,526,841	06/1996	Detsch et al.	
	55.	5,540,587	07/1996	Malmin	
	56.	5,634,791	06/1997	Matsuura et al.	
	57.	5,749,726	05/1998	Kinsel	
	58.	5,876,201	03/1999	Wilson et al.	
	59.	5,993,402	11/1999	Sauer et al.	
	60.	D434,500	11/2000	Pollock et al.	
	61.	6,159,006	12/2000	Cook et al.	
	62.	D441,861	05/2001	Hafliger	
	63.	D470,660	02/2003	Schaber	
	64.	D475,346	06/2003	McCurrach et al.	
	65.	D482,451	11/2003	Page et al.	
	66.	6,659,674	12/2003	Carlucci et al.	
	67.	6,689,078	02/2004	Rehkemper et al.	
	68.	6,719,561	04/2004	Gugel et al.	
	69.	6,739,782	05/2004	Rehkemper et al.	
	70.	D492,996	07/2004	Rehkemper et al.	
	71.	6,766,549	07/2004	Klupt	
	72.	6,779,216	08/2004	Davies et al.	
	73.	D495,142	08/2004	Berde	
1/	74.	D495,143	08/2004	Berde	
V	75.	D499,885	12/2004	Xi	
KL	76.	6,884,069	04/2005	Goldman	
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EXAMINER INITIALS*	Cite No.1		Name of Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
_	Number – Kind Code <sup>2</sup> (If known)	MM-00-YYYY			
X	77.	2001/0055742	12/2001	Hood et al.	
1	78.	2003/0190581	10/2003	Segal	
	79.	2003/0213075	11/2003	Hui et al.	
1/	80.	2004/0122377	06/2004	Fischer et al.	
V	81.	2004/0209222	10/2004	Snyder et al.	
VI.	82.	2005/0004498	01/2005	Klupt	

FOREIGN PATENT DOCUMENTS						
EXAMINER INITIALS			PUBLICATION DATE	Name of PATENTEE or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant	T <sup>0</sup>
		MM-OD-YYYY		Passages or Relevant Figures Appear		
XL	83.	EP0023672	07/1980	Siemens Aktiengesellschaft		X
W.	84.	DT1466963	05/1969	Brennenstuhl Hugo		
PL	85.	GB2018605	10/1979	Winston Fred Wright		
R	86.	WO04/021958	03/2004	Rehco, LLC		
		5				

		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
EXAMINER INITIALS	Cite No. <sup>2</sup>	Include name of Author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	۲,
EXAMINER	X	DATE CONSIDERED / ZO/Z006	

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See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

For Standard ST.3) \* For Supanese patent document, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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